

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

GENE MARTIN AUTO SALES, INC.,	)	
	)	
PLAINTIFF,	)	
	)	
v.	)	CIVIL ACTION NO. 2:07-cv-937-MEF
	)	
KEVIN DAVIS, et al.,	)	
	)	
DEFENDANTS.	)	

**ORDER**

Pursuant to Federal Rule of Civil Procedure 4(m), the Court hereby provides notice to the plaintiff that the Court finds that plaintiff has failed to cause service to be made upon the following defendants to this action within 120 days after the filing of the Complaint in this action on October 19, 2007: Jonathan Benson, Kenneth Harmon, Lt. Lockhart, Jason Ously, Michael Poe, and John Shannon. It is the present intention of this Court to dismiss all claims against Jonathan Benson, Kenneth Harmon, Lt. Lockhart, Jason Ously, Michael Poe, and John Shannon without prejudice on **February 29, 2008**, unless plaintiff shows good cause for its failure to comply with Federal Rule of Civil Procedure 4 before that date.

DONE this 22nd day of February, 2008.

/s/ Mark E. Fuller  
CHIEF UNITED STATES DISTRICT JUDGE